REMARKS

Claims 1 and 3-29 are currently in this application. Claim 2 has been cancelled without prejudice.

Applicants have not amended any claims with this Response and therefore have not provided a listing of the claims. (37 CFR 1.121(c).)

Favorable reconsideration is respectfully requested.

I. Interview Summary

Applicants kindly thank Examiners Shumate and Smith for the discussion of this application in the telephonic interview with Heidi Dare on July 22, 2009. No demonstration was given during the interview. Claim 1 and EP 0 960 645 were discussed. No agreement was reached.

II. Claim rejections under 35 U.S.C. §102

Claims 1, 3-5, 7-10 and 12-14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Schultink (EP 960645 A2) as evidenced by Chand et al. (Structure and properties of polypropylene fibers during thermal bonding, *Thermochimica Acta* 367-368 (2001) 155-160.).

Applicants respectfully traverse the rejection of claims 1, 3-5, 7-10 and 12-14 based on Schultink.

Schultink has been discussed in detail in the Amendment filed January 28, 2009. In the present Office Action, the Examiner refers to Table IV and Figure 6 for a discussion of pore size.

Figure 6 illustrates a three-layer vacuum cleaner bag including a dry-laid special filter paper 34, a meltblown layer 35 and a spunbond layer 36. Table IV includes Example 6 that refers to the layers shown in Figure 6. As shown in the first line of Table IV, the parameters have been determined for the laminate of the spunbond 36 and meltbond 35 layers denoted by "6(36+35)." The mean pore diameter given in Example 6 is given for the **laminate** of the spunbond and meltbond layers 36+35 together and not for the individual layers 35 or 36. Therefore, Table IV does not include any indication regarding the mean pore diameter of a spunbond layer alone. Clearly,

Schultink fails to teach or suggest at least one region of a spunbond nonwoven layer having an average pore size smaller than 50 µm.

In contrast, claims 1, 8 and 10 require at least one region of a spunbond nonwoven layer having an average pore size smaller than 50 µm. This feature is not taught by Schultink.

Therefore, Applicants respectfully request that the rejection of claims 1, 3-5, 7-10 and 12-14 under 35 U.S.C. §102(b) be withdrawn.

III. Claim rejections under 35 U.S.C. §103

A. Claim 6

Claim 6 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Schultink in view of Ohue (U.S. 4,663,222).

Applicants respectfully traverse the rejection of claim 6 as being unpatentable over Schultink in view of Ohue.

Schultink has been discussed above with respect to claim 1 from which claim 6 depends. Ohue has been cited for disclosing the application of a hotmelt adhesive. Ohue is directed to a water-repellant nonwoven fabric made of a melt-blown fiber. (Abstract.) Ohue fails to make up the deficiencies of Schultink. Schultink and Ohue, individually or in combination, fail to teach or suggest all the limitations of claim 6.

Therefore, Applicants respectfully request that the rejection of claim 6 under 35 U.S.C. §103(a) be withdrawn.

B. Claim 11

Claim 11 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Schultink in view of Fluent (U.S. 4,941,309).

Applicants respectfully traverse the rejection of claim 11 as being unpatentable over Schultink in view of Fluent.

Schultink has been discussed above with respect to claim 10 from which claim 11 depends. Fluent has been cited for disclosing application of a hotmelt to obtain bonding of the fibers. (Abstract.) Fluent fails to make up the deficiencies of Schultink.

Schultink and Fluent, individually or in combination, fail to teach or suggest all the limitations of claim 11.

Therefore, Applicants respectfully request that the rejection of claim 11 under 35 U.S.C. §103(a) be withdrawn.

C. Claims 15-25, 28 and 29

Claims 15-25, 28 and 29 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Schultink.

Applicants respectfully traverse the rejection of claims 15-25, 28 and 29 as being unpatentable over Schultink.

Applicants' claims 15 and 22 require a filter paper layer having a smaller surface area than the filter structure. Applicants' specification at paragraph 0045 explicitly excludes conventional filter papers from non-woven layers. Applicants' paragraph 0045 defines the high holding capacity paper disclosed in EP 0960 645 as a "non-woven" layer. Schultink also clearly distinguishes conventional filter paper (see paragraph 0027) and wet-laid or dry-laid high capacity paper (see paragraphs 0030-0051). In the examples given in Schultink, including Figure 8H cited by the Examiner, only high capacity papers, i.e., nonwoven layers, are disclosed. No paper layers as defined in Applicants' specification are disclosed. Clearly, Schultink fails to teach or suggest a filter **paper** layer. As acknowledged by the Examiner, Schultink fails to teach or suggest a layer having a smaller surface area than the filter structure.

In contrast, Applicants' claims 15 and 22 require a filter paper layer. Claims 15 and 22 further require that the filter paper layer has a smaller surface area than the filter structure.

Therefore, Applicants respectfully request that the rejection of claims 15-25, 28 and 29 under 35 U.S.C. §103(a) be withdrawn.

D. Claim 26

Claim 26 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Schultink in view of Lutz (Polyproplyene: An A-Z Reference, pp. 301-303).

Applicants respectfully traverse the rejection of claim 26 as being unpatentable over Schultink in view of Lutz.

Schultink has been discussed above with respect to claim 1 from which claim 26 depends. Lutz has been cited for pulverized polymer. Lutz fails to make up the deficiencies of Schultink. Schultink and Lutz, individually or in combination, fail to teach or suggest all the limitations of claim 26.

Therefore, Applicants respectfully request that the rejection of claim 26 under 35 U.S.C. §103(a) be withdrawn.

E. Claim 27

Claim 27 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Schultink in view of Fluent and further in view of Lutz.

Applicants respectfully traverse the rejection of claim 11 as being unpatentable over Schultink in view of Fluent.

Schultink and Fluent have been discussed above with respect to claim 10 from which claim 27 depends. Lutz has been cited for pulverized polymer. Lutz and Fluent fail to make up the deficiencies of Schultink. Schultink, Fluent and Lutz, individually or in combination, fail to teach or suggest all the limitations of claim 27.

Therefore, Applicants respectfully request that the rejection of claim 27 under 35 U.S.C. §103(a) be withdrawn.

IV. Summary

Applicants respectfully assert that the claims are in condition for early allowance. Allowance of the claims is earnestly solicited. Should the Examiner wish to discuss any of the above submissions in more detail, the Examiner is asked to please call the undersigned at the telephone number listed below.

Respectfully submitted,

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